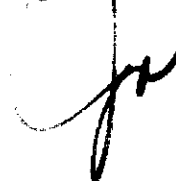


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U.S. DISTRICT COURT  
DISTRICT OF NEVADA



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Attorneys for Defendant  
HOME DEPOT U.S.A., INC.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JONATHAN R. ROSARIO,  
Plaintiff,  
v.  
HOME DEPOT U.S.A., INC.,  
Defendant.

CASE NO. CV-S-05-0323-RCJ (LRL)  
STIPULATION FOR DISMISSAL OF  
ENTIRE ACTION

///

///

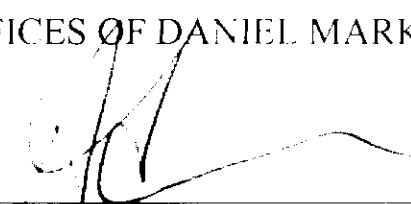
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IT IS HEREBY STIPULATED by and between Plaintiff Jonathan R. Rosario ("Rosario") and Defendant Home Depot U.S.A., Inc., through their counsel of record, that all claims for relief in the above-captioned action brought by Rosario be and hereby are dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1), with each party to bear their own costs and attorneys' fees.

DATED: August 2, 2005 LAW OFFICES OF DANIEL MARKS

By:   
 DANIEL MARKS, ESQ.  
 Nevada Bar No. 2003  
 ADAM LEVINE, ESQ.  
 Nevada Bar No. 4673  
 Attorneys for Plaintiff  
 JONATHAN R. ROSARIO

DATED: August 2, 2005 PAYNE & FEARS LLP

By:   
 GREGORY H. KING, ESQ.  
 Nevada Bar No. 7777  
 THAYNE A. LARSON, ESQ.  
 Nevada Bar No. 9099  
 Attorneys for Defendant  
 HOME DEPOT U.S.A., INC.

**ORDER**

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED THAT ALL CLAIMS FOR RELIEF IN THE ABOVE-CAPTIONED ACTION BROUGHT BY PLAINTIFF JONATHAN R. ROSARIO BE, AND HEREBY ARE, DISMISSED IN THEIR ENTIRETY WITH PREJUDICE.

DATED: 8-4-05  
  
 UNITED STATES DISTRICT JUDGE

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